

INDIANA EMERGENCY RESPONSE COMMISSION (IERC) MEETING
Indiana Government Center, Conference Room 1
302 West Washington Street
Indianapolis, Indiana 46204
January 12, 2009 1:00 P.M.

WELCOME AND INTRODUCTION

Acting Chairman Mike Garvey welcomed everyone to the meeting and asked for roll call.

ROLL CALL TO ORDER

Mike Garvey—Chair	Jim Pridgen—Industry
Mike Bigler—State Government	Carol Shelby—Public
Sherman Greer—Local Government	Bruce Palin—State Government
Thomas Melville—State Government	Dean Larson—Public
Brian Lott—Local Government	

The following Commission members were absent:

Joseph Wainscott —IDHS Chair	Michael Pace—Industry
William Reed—Public	

The following staff members were present:

John Steel—IDHS	Mara Snyder—IDHS
Laura Steadham—IDEM	Ian Ewusi—IDEM/IDHS

The following members of the audience were present:

Rick Archer—IDHS	Kathy Dayhoff-Dwyer—IDHS
Becky Waymire—Morgan County LEPC	Jeff Larmore—Marion County LEPC

QUORUM

The LEPC coordinator indicated that a quorum was present.

CONSIDERATION OF THE MINUTES

A motion to approve and adopt the November 10, 2008, minutes was made by Mr. Pridgen and seconded by Mr. Bigler. **MOTION CARRIED.**

REPORT OF THE CHAIR

Mr. Garvey provided a report on the Pan-Flu Exercise that was held at the Muscatatuck Urban Training Center. The exercise consisted of 3 different scenarios: the avian influenza exercise, the pandemic flu exercise, and the deployment of Districts 6 and 10 Task Forces from their respective home districts to set up base camp at Muscatatuck within a 24-hour period. He also provided an update on the 2008 flood recovery activities of IDHS's Response and Recovery Division in the public assistance and mitigation programs. Mr. Garvey reported that IDHS was closely watching the 2009 legislative session to ascertain any legislative impact on the IERC. He noted that the proposed 5-day public notice for meetings instead of the current 48-hour requirement and the provision for proxies of governmental members in LEPCs were 2 issues of interest.

COMMITTEE REPORTS

Communications Committee—Sherman Greer, Chair

Mr. Greer reported that the Communications Committee had nothing to report.

Technical Committee—James Pridgen, Chair

Mr. Pridgen reported that the Technical Committee had met with the Training Committee and that a report on that meeting would be provided by the Training Committee Chair. Mr. Pridgen also reminded members of the meeting scheduled for the morning of March 9, prior the next IERC meeting. He confirmed that Conference Rooms 1 and 2 had been reserved for the full day.

Policy Committee—Dean Larson, Chair

Mr. Larson reported that the Policy Committee had responded to an informal request for information on the use of LEPC funds for non-hazardous materials expenditures. He listed the following issues being considered by the committee:

1. The confusion about whether the electronic filing of Tier II reports was ready to use or not
2. The concern about rolling out the electronic system now with less than 60 days to go before the filing reports are due
3. The issue of non-Commission members serving on IERC Committees

Training Committee—Carol Shelby, Chair

Ms. Shelby reported that they had conducted a joint meeting with the Technical, Policy and Communications Committees to discuss LEPCs implementing the Homeland Security Exercise and Evaluation Program (HSEEP). She indicated that the state should recognize that LEPCs are made up of volunteers and that HSEEP training required is lengthy and a very robust process. Ms. Shelby reported that the committees have recommended that the IERC and IDHS prepare a template that each LEPC could utilize to meet this requirement. Additionally, the following 3 steps were recommended in the LEPC exercise development process:

1. Prepare an After Action Report (AAR)
2. LEPCs use the HSEEP website for exercise planning and AARs
3. LEPCs invite county, district and state HSEEP personnel to assist in their exercise design

Ms. Shelby reported that the committees reviewed 4 requests from potential vendors to be added to the training list. She noted that the committee approved 3 of the vendor requests and would need additional information on the 4th vendor before proceeding.

Fiscal Committee—Bruce Palin, Chair

Mr. Palin reported that the Fiscal Committee had nothing to report.

Mr. Garvey asked for a motion to approve all committee reports. Motion was made by Mr. Melville and was seconded by Ms. Shelby. **MOTION CARRIED.**

OLD BUSINESS

Rick Archer from IDHS reported that he had met with the Training Committee earlier that day and had offered some approaches that LEPCs could take to utilize HSEEP for their exercises.

A discussion on non-IERC members serving on IERC committees was raised by Mr. Greer. He reported that LEPC members have always served on the Communications Committee. Mr. Larson noted that he had been approached by someone expressing interest in serving on the Policy Committee, and as he understood it, only IERC members were allowed to serve on the committees. He was therefore concerned that the Commission was not effectively utilizing available resources that could serve the IERC. Ms. Snyder indicated that the Commission could set guidelines on this issue since there were currently none in place to address it.

Mr. Ewusi discussed a request for service proposal that he had presented at the last meeting that would facilitate electronic submission of the 7 LEPC funding requirements. He noted that at the last meeting the Commission asked him to identify any costs that may be associated with this project. Mr. Ewusi reported that if the electronic submission program were located on an IDHS server, the costs would be insignificant; however, IOT may assess hosting service fees of between \$250 and \$500 per month.

NEW BUSINESS

Mr. Bigler reported on a concern from a fire department that a certain facility would not fill out the appropriate papers or go online to report their chemicals, and wanted to know what the process is to ensure the compliance of this facility. Ms. Snyder requested that the information be sent to her and stated that a letter copied to the attorney general's office would be issued to the facility encouraging compliance and noting the consequences of being non-compliant.

Mr. Palin reported on the new electronic submittal process for the Tier II reports available through IDEM's website. He indicated that any facility using this system will receive an I.D. number to access and submit information to the agency. He reported that prior to releasing the system for use, beta testing was performed with potential users and system flaws were identified and corrected. Mr. Palin noted that ideally the system should satisfy all SARA reporting requirements.

REPORT OF THE FIELD REPRESENTATIVE

Mr. Ewusi provided a summary report of field activities for 2008 as follows:

Training—Provided CAMEO training to 123 response agency personal from fire departments, law enforcement, emergency medical services, emergency management and LEPCs throughout the state.

LEPC Compliance—(1) Initiated the release of annual funding totaling \$640,445 to 75 compliant LEPCs and expects the number of compliant LEPCs to increase this year. (2) Reviewed 79 LEPC plans submitted to the IERC and provided evaluation reports to all the LEPCs to help address deficiencies in their respective plans. (3) Attended 36 LEPC meetings throughout the course of the year.

HMEP Grant Program—Worked with IDHS's grants department to develop guidelines on the application and submission process on HMEP grants program using the Indiana Grants Management System (iGMS). Using the new HMEP guidelines and the iGMS, LEPCs were able to effectively and efficiently apply for and receive grants for hazmat planning, training and training exercise equipment. 23 LEPCs took advantage of the HMEP grant program and received grants totaling \$214,000.

Other News—Received news that Washington and Orange County District LEPC is considering disbanding as a joint committee. He noted that during the 2008 performance period, Washington County did the largest share of the LEPC administrative workload. While the separation seems inevitable, he will continue work with both counties to find ways to remain compliant.

Special Projects—(1) Established an LEPC database for state ethics training requirements which allows the management of the ethics status of LEPC members. The database management system allows new LEPC members to quickly get their user name and password so that they can take the online ethics training. (2) Working with U.S. EPA to come up with an Indiana-specific CAMEO plan for LEPCs to use in the development and establishment of their LEPC plans. (3) Establishing a dedicated phone line and email address to assist facilities with their Tier II and EPCRA-related reporting requirements.

Mr. Ewusi reported on non-compliant LEPCs. He noted that Rush, Vermillion and Sullivan LEPCs have become compliant but Benton, Blackford, Fayette, Harrison and Martin still show no signs of becoming compliant. He stated that one of his goals in 2009 is to increase the number of compliant LEPCs.

MEMBERSHIP ROSTER APPROVALS

The following counties had submitted new or updated rosters for approval:

Clinton	Elkhart	Jennings
Johnson	LaGrange	Miami
Ohio	Spencer	

Chairman Garvey asked to approve the roster report, and a motion was made by Mr. Larson and second Ms. Shelby. **MOTION CARRIED.**

LEPC COMMENTS

Mr. Larmore with Marion County LEPC inquired about legislation to change ethics requirements for organizations such as LEPCs. Ms. Snyder informed the Commission that a recommendation had been made by IDHS to amend ethics statutes, but the agency did not get permission to move forward.

Mr. Larmore also inquired about the November 2008 EPA final ruling that required companies to provide the chemical or common name of the chemical, and that if the IERC or IDEM was going to do anything to promote compliance during the Tier II reporting process. Mr. Ewusi advised that letters will be sent to the reporting facilities to direct them to the appropriate website for fact sheets and guidance on this ruling.

Mr. Larmore continued discussion on accessing data on facilities that have submitted their EPCRA reports and how hazmat teams can access facility information in other counties in mutual aid requests.

EPA COMMENTS

None

PUBLIC COMMENTS

Dean Larson provided a report on the status of the 2010 edition of NFPA 1600. He noted that this edition is out for comment, and would be glad to provide copies if requested.

NEXT MEETING

March 9, 2009, 1:00 P.M.
Indiana Government Center South, Conference Room 1

ADJOURNMENT

Meeting was adjourned at 2:27 P.M.

SIGNED COPY ON FILE

Joseph E. Wainscott, Jr., Chair